

Message Text

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PAGE 01 USBERL 00727 141006Z
ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 DODE-00 NSAE-00 USIA-06 TRSE-00
ERDA-05 CIAE-00 COME-00 /032 W
-----141010Z 021446 /14
P 140930Z MAR 77
FM USMISSION USBERLIN
TO SECSTATE WASHDC PRIORITY 4209

C O N F I D E N T I A L USBERLIN 0727

PASS RANER MEYER, OEA, COMMERCE FROM KRATZ, ERDA

E.O.11652: GDS
TAGS: ESTC
SUBJECT: DRAFT LETTER TO TAC/NC ON U.S. COCOM PROPOSAL ON IL 1091

1. AFTER FURTHER REVIEW , BOTH MISKELL AND KRATZ BELIEVE
LETTER AS NOW DRAFTED OR REVISED BY MISKELL SHOULD NOT
REPEAT NOT BE SENT SINCE IT DOES NOT ACCURATELY REFLECT
U.S. COCOM PROPOSAL BASED ON INTERIM TAC REPORT AND WOULD
BE MISLEADING TO INDUSTRY MEMBERS.

2. U.S. COCOM PROPOSAL INCORPORATES ALL SUBSTANTIVE TAC
RECOMMENDATIONS. REGARDING RECOMMENDATION TO ELIMINATE
DISTINCTION BETWEEN HARDWIRED AND SOFTWIRED UNITS, FUNDA-
MENTAL ISSUE WHICH TAC ADDRESSED WAS CURRENT DIFFERENCES
IN EMBARGO COVERAGE BETWEEN HARDWIRED AND SOFTWIRED UNITS,
I.E., MORE STRICT CONTROLS OVER SOFTWIRED THAN HARDWIRED
UNITS. IT WAS INDUSTRY'S CONTENTION, WHICH WAS FINALLY
UNANIMOUSLY AGREED BY TAC, THAT EMBARGO CONTROLS OF STRATEGICALLY
SSIGNIFICANT UNITS SHOULD BE BASED ON THE FUNCTIONAL
CHARACTERISTICS OF THE UNIT, NOT WHETHER THE UNIT
UTILIZED A COMPUTER. THIS CONCEPT OF BASING EMBARGO
COVERAGE ON FUNCTIONAL CHARACTERISTICS WAS TOTALLY
ADOPTED AND IS EVIDENT THROUGHOUT THE DEFINITION. THAT
IS, THERE IS ESSENTIALLY NO DIFFERENCE IN LEVELS OF
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PAGE 02 USBERL 00727 141006Z

EMBARGO CONTROLS BETWEEN HARDWIRED AND SOFTWIRED UNITS.

3. THE OSTENSIBLE DISTINCTION THAT DOES EXIST IN THE COCOM
PROPOSAL BETWEEN HARDWIRED AND SOFTWIRED UNITS IS BASICALLY
PROCEDURAL IN NATURE. THIS PROCEDURAL DISTINCTION
RESULTED NOT ONLY BECAUSE OF DESIRES TO MAINTAIN IL 1565
COVERAGE, BUT MORE IMPORTANTLY AND SPECIFICALLY, BECAUSE

THE TAC/NC RECOMMENDED CONTINUED STRICT EMBARGO CONTROLS OVER THE TECHNOLOGY OF EQUIPMENT THAT THEY WISHED DECONTROLLED. IT BECAME EVIDENT IN OUR SUBSEQUENT TTG-10 DELIBERATIONS THAT THESE CONTRASTING RECOMMENDATIONS, I.E. LIBERALIZATION OF CNC EQUIPMENT AND CONTINUING STRICT CONTROL OF TECHNOLOGY COULD NOT EASILY BE ACCOMMODATED UNDER EXISTING COCOM PROCEDURES. AS A RESULT, TTG-10, IN ITS FORMULATION OF TH COCOM PROPOSAL RETAINED THE SOFTWIRED/HARDWIRED DISTINCTION FOR PROCEDURAL REASONS IN ORDER TO EFFECT THE TAC RECOMMENDATIONS.

4. THE ONLY DIFFERENCE IN LEVEL OF CONTROLS BETWEEN THE TWO DIFFERENT UNITS IS THE INITIAL REVIEW AND APPROVAL BY COCOM OF NCN UNITS. ONCE APPROVED, IT WAS THE TTG-10 VIEW THAT SUCH UNITS COULD BE PLACED UNDER GENERAL LICENSE.

5. SINCE DRAFT LETTER DOES NOT PROVIDE FOREGOING EXPLANATION, IT COULD BE EASILY MISINTERPRETED BY INDUSTRY AS ANOTHER EXAMPLE OF USG IGNORING INDUSTRY ADVICE AND RESULT IN MORE DAMAGE THAN GOOD IN ABSENCE OF MORE DEFINITIVE EXPLANATION. IF LETTER IS TO BE WRITTEN, THEN WE BELIEVE THE WRITTEN EXPLANATION SHOULD BE COMPLETE WITHOUT SUPPLEMENTAL ORAL EXPLANATION.

6. WE STRONGLY URGE OEA, COMMERCE COOPERATION TO HOLD UP DISPATCH OF LETTER UNTIL OUR RETURN WEEK OF MAR 21 IN ORDER THAT FULLY COORDINATED INTERAGENCY LETTER CAN BE DRAFTED.

GEORGE

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PAGE 03 USBERL 00727 141006Z

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, IL 1091, STRATEGIC TRADE CONTROLS, DIPLOMATIC COMMUNICATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 14-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977USBERL00727
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770086-0976
Format: TEL
From: USBERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770361/aaaacbrg.tel
Line Count: 97
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: e53f7bb8-c288-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 07-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3113294
Secure: OPEN
Status: NATIVE
Subject: DRAFT LETTER TO TAC/NC ON U.S. COCOM PROPOSAL ON IL 1091
TAGS: ESTC, US
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/e53f7bb8-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
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